



3764

ATTORNEY DOCKET NO.: BAL-107 (17456)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: D. Theron Van Hooser

Serial No.: 10/037,463

Confirmation No.: 4814

Filed: December 21, 2001

For: Respiratory Circuit Support Arm

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) Examiner: Unknown
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) Art Unit: 3764
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
Washington, D.C. 20231

Sir:

The present Supplemental Information Disclosure Statement is submitted for the Examiner's consideration in accordance with the Applicant's duty of disclosure.

An International Search Report from the European Patent Office on the corresponding PCT application is submitted for the Examiner's consideration, as well as copies of the references cited by the European Patent Office. Applicant's duty to provide a concise statement of relevance as to the three foreign language references is satisfied by the Search Report indicating the degree of relevance found by the European Patent Office in accordance with 1138 OG 38 of May 19, 1992, and MPEP § 609a(3).

The Examiner is encouraged to contact the undersigned at his convenience should he have any questions regarding this matter or require any additional information.

Respectfully submitted,
DORITY & MANNING, P.A.

January 13, 2003
Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In re Application of: D. Theron Van Hooser

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Our Account No.: 04-1403

Title: Respiratory Circuit Support Arm

Commissioner for Patents
U.S. Patent and Trademark Office
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Sir:

The following is an Information Disclosure Statement for the captioned patent application, pursuant to 37 CFR Sections 1.56, 1.97, and 1.98.

1. ☒ Attached hereto is:

- a. ☒ A list of materials for consideration per Rule 98(a)(1): 1 page(s)
- b. ☒ A legible copy of each patent, publication, or other item listed per Rule 98(1)(2), unless not required per Rule 98(c) and/or (d) and as indicated on the attached list(s):
7 item(s)
- c. ☐ For each non-English language item listed, pursuant to Rule 98(a)(3), a concise explanation of the relevance thereof as it is presently understood by the individual designated in Rule 56(c) most knowledgeable about the content of such items: Such explanation is provided in the Search Report from a corresponding application enclosed herewith, along with its translation into English.

2. ☒ This Information Disclosure Statement is being filed [CHECK ONE]:

- a. ☒ WITHIN THREE MONTHS of the application filing date or national stage date of entry OR BEFORE the mailing date of a first Office Action on the merits, whichever event occurs last, WHEREFORE per Rule 97(b) NO filing fee or Rule 97(e) certificate is required.
- b. ☐ AFTER the time periods of section 2.a above, but BEFORE a Final Action, Notice of Allowance OR an action that otherwise closes prosecution, WHEREFORE PER Rule 97(c) submitted herewith is [CHECK ONE]:
- i. ☐ Certification per Rule 97(e); OR
- ii. ☐ Filing Fee per Rule 17(p)\$180.00
- c. ☐ AFTER a Final Action OR Notice of Allowance, but BEFORE payment of the issue fee, WHEREFORE per Rule 97(d) submitted herewith is:
- i. ☐ Certification per Rule 97(e); AND
- ii. ☐ Filing fee per Rule 17(p)\$180.00

3. ☐ Rule 97(e) Certification; per Rule 97(e), the undersigned certifying party make the following certification statement [CHECK ONE]:

- a. ☐ That each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; OR
- b. ☐ That no item of information contained in this Information Disclosure Statement was first cited in a foreign patent office in a counterpart foreign application and to the knowledge of the undersigned after making a reasonable inquiry, was known to any individual designated in Rule 56(c) more than three months prior to the filing of this statement.

CERTIFYING PARTY (if different from bottom signature; omission here indicates that certification is being made by signer per signature below).

Name: _____
Address: _____

Signature: _____
Date: _____

4.[x] DEPOSIT ACCOUNT AUTHORIZATION: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

5.[x] CERTIFICATE OF MAILING: This Information Disclosure Statement is being filed pursuant to [CHECK AND COMPLETE ONE]:

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I hereby certify that this correspondence and any referenced attachment and/or fee are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231, on

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b.[] "Express Mail" Certificate under Rule 10:

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Date of Deposit _____

I hereby certify that this paper and all attachments and any fee are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patent, U.S. Patent and Trademark Office, Washington, D.C. 20231.

(Typed/printed name of person mailing paper or fee)

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By: Neal Pierotti

Reg. No.: 45,716

Signature: Neal Pierotti

Date: January 13, 2003



(Rev. 5/92) Information Disclosure Statement List By Applicant Under 37 CFR Section 1.98(a) (1) (Use several sheets if necessary)	Attorney Docket Number	Serial Number
	BAL-107 (17456)	10/037,463
	Applicant	
	D. Theron Van Hooser	
	Filing Date	Group
	December 21, 2001	3764
	Confirmation No.: 4814	

NOTE:

If no indication is made in the column marked "COPY NOTE," the required legible copy of the corresponding item is submitted herewith; otherwise, a copy is not required and/or not submitted, for the following reason(s) [corresponding reason number is listed in "COPY NOTE" column]"

- (1) This item is cumulative, per Rule 98(c)
- (2) A copy of this item was previously cited by or submitted to the U.S. Patent and Trademark Office in:
 USSN _____, filed _____, or
 USSN _____, filed _____;
 Relied on under 35 U.S.C. Section 120, per Rule 98(d)
- (3) Both reasons (1) and (2) apply
- (4) No legible complete copy is possessed, in custody of controlled, or readily available

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U.S. PATENT DOCUMENTS													
EXAMINER INITIALS	PATENTEE NAME	PATENT NUMBER								ISSUE DATE	COPY NOTE		
	M.A. Urrutia	2	4	1	9	8	6	0		04/29/1947			
	Johnson et al.	6	2	2	4	0	2	7		05/01/2001			

FOREIGN PATENT DOCUMENTS																
EXAMINER INITIALS		COUNTRY	DOCUMENT NUMBER								PUBLICATION DATE	TRANSLATION			COPY NOTE	
												YES	NO	N/A		
		German	DE	3	7	0	3	4	4	1	A1	18-08-1988			X	
		German	DE	9	0	1	4	8	4	8	U1	07-02-1991			X	
		PCT Int'l WO	W	O	9	9	2	7	8	1	8	10-06-1999			X	
		German	DE	9	3	2	1	2	6	0	U1	07-05-1997			X	

*"NO" means that no copy of an English language translation is within the possession, custody, or control of, or is readily available to any individual designated in Rule 56(c).

EXAMINER INITIALS	OTHER DOCUMENTS	COPY NOTE
	Specify author (if any), Title, Pertinent Pages, Date & Place of Publication	
	International Search Report 30/12/2002	
EXAMINER	DATE CONSIDERED	
Examiner:	initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.	